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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Persons displaced as a result of the June 1967 and subsequent hostilities

Report of the Secretary-General**

Summary

In its resolution 58/92 of 9 December 2003, the General Assembly reaffirmed the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes and endorsed the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to such persons. The Assembly also requested the Secretary-General to report to it, after consulting with the Commissioner-General of UNRWA, on the progress made in the implementation of that resolution.

The present report refers to correspondence between the Secretary-General and the Permanent Representative of Israel to the United Nations regarding actions taken by the Government of Israel in implementing the relevant provisions of the resolution. It also presents the information made available by the Commissioner-General of UNRWA to the Secretary-General on the return of refugees registered with the Agency to the West Bank and the Gaza Strip from places outside the Occupied Palestinian Territory.

* A/59/50 and Corr.1.

** The present report could not be submitted by the slotted date, as it needed to include a response from a Member State which was received on 12 July 2004.

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1. The present report is submitted to the General Assembly in pursuance of paragraph 5 of its resolution 58/92 of 9 December 2003, entitled "Persons displaced as a result of the June 1967 and subsequent hostilities", the operative part of which reads:

> *The General Assembly*,
>
> ...
>
> 1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;
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> 2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993[1] on the return of displaced persons has not been effected, and stresses the necessity for an accelerated return of displaced persons;
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> 3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis and as a temporary measure, to persons in the area who are currently displaced and in serious need of continuing assistance as a result of the June 1967 and subsequent hostilities;
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> 4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;
>
> 5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-ninth session on the progress made with regard to the implementation of the present resolution.

2. On 12 April 2004, the Secretary-General had addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any action his Government had taken or envisaged taking in respect of the implementation of the relevant provisions of the resolution.

3. In a note verbale dated 12 July 2004, the Permanent Representative of Israel replied as follows:

> "The position of the State of Israel on these resolutions has been set forth in successive annual replies submitted to the Secretary-General in recent years. In light of the desire of the State of Israel to bring an end to all acts of violence and terrorism in the region, improve the humanitarian situation and achieve a negotiated settlement in the context of the Road Map, Israel wishes to put its position on this matter on record.
>
> "Israel supports UNRWA's humanitarian mission and recognizes its important contribution to the welfare of Palestinian refugees. We remain concerned, however, regarding a number of issues related to the politicization

of UNRWA's operations and the need to take due account of the campaign of terror being waged against Israel's citizens. As a humanitarian agency, it is also incumbent upon UNRWA to refrain from any actions or statements concerning political questions beyond its mandate. Israel is concerned that UNRWA has failed to address the problems caused with respect to the fulfilment of its mandate by the extensive terrorist infrastructure that has taken root in Palestinian 'refugee camps'. While Israel recognizes that UNRWA does not have a mandate to enforce security and public order, Israel urges UNRWA to draw attention to the misuse of these 'camps' by armed elements that violate Security Council resolutions and international law, and pose a clear danger to the safety and security of the civilian population, and the safe fulfilment of UNRWA's mandate.

"Israel believes that any resolution adopted with respect to UNRWA should focus on its operations, and not on extraneous political issues which are introduced to single out one country, to prejudge issues reserved by agreement for permanent status negotiations or to further the interests of one side to a conflict. There is no reason why resolutions on UNRWA, whose mission the international community supports, should be divisive and political.

"Israel supports efforts to consolidate UNRWA resolutions and remove from them extraneous political references. This goal is consistent also with general efforts aimed at the reform and revitalization of the General Assembly's agenda. In this context, and as a result of the efforts of the resolution's sponsors, Israel was able to vote in favour of resolution 58/95. Unfortunately, however, other UNRWA resolutions continue to be rife with irrelevant politicized rhetoric and superfluous or repetitious language. Accordingly, Israel voted against resolutions 58/91, 58/92, 58/93 and 58/94.

"Israel looks forward to continuing its cooperation and working relationship with UNRWA. Accordingly, Israel urges the Secretary-General and UNRWA to consider, together with the parties concerned, ways in which the organization can enhance the fulfilment of its mandate in an accountable and responsible manner in the best interests of those whom UNRWA has been charged to serve."

4. In connection with paragraph 2 of General Assembly resolution 58/92, the Secretary-General has obtained from the Commissioner-General of UNRWA the information available to him on the return of refugees registered with the Agency. As indicated in previous reports on the subject, the Agency is not involved in any arrangements for the return of refugees nor is it involved in any arrangements for the return of displaced persons who are not registered as refugees. Its information is based on requests by returning registered refugees for transfer of their entitlements for services to the areas to which they have returned and subsequent correction of records. The Agency would not necessarily be aware of the return of any registered refugees who had not requested the provision of services. So far as is known to the Agency, between 1 July 2003 and 30 June 2004, 550 refugees registered with UNRWA returned to the West Bank and 148 to the Gaza Strip from places outside the Occupied Palestinian Territory. It should be noted that some of these may not themselves have been displaced in 1967, but may be members of the family of a displaced registered refugee. Thus, taking into account the estimate given in paragraph 4 of the 2003 report of the Secretary-General on the subject (A/58/119),

the number of displaced registered refugees who are known by the Agency to have returned to the occupied territories since June 1967 is about 24,600. The Agency is unable to estimate the total number of displaced inhabitants who have returned. It keeps records only of registered refugees and, as pointed out above, even those records, particularly with respect to the location of registered refugees, may be incomplete.

5. In connection with paragraph 3 of General Assembly resolution 58/92, the Secretary-General refers to the report of the Commissioner-General of UNRWA for the period 1 July 2003 to 30 June 2004[2] and to the previous reports of the Commissioner-General for accounts of the continuous and ongoing assistance provided by UNRWA to persons displaced and in need of continued assistance.

Notes

[1] A/48/486-S/26560, annex.

[2] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 13* (A/59/13) (to be issued).